

CBDPCOLF

Deliberations

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

New York, N.Y.

4 v.

07 Cr. 1170 (LAP)

5 JOSEPH P. COLLINS,

6 Defendant.

7 -----x

November 13, 2012

3:48 p.m.

8 Before:

9 HON. LORETTA A. PRESKA,

10 District Judge

11 APPEARANCES

12 PREET BHARARA

13 United States Attorney for the  
Southern District of New York

14 BY: HARRY A. CHERNOFF

MICHAEL A. LEVY

15 EDWARD A. IMPERATORE

Assistant United States Attorneys

16 COOLEY LLP

17 Attorneys for Defendant

18 BY: WILLIAM SCHWARTZ

JONATHAN BACH

REED SMITH

19 LAUREN GERBER LEE

20 - also present -

21 Robert Clark,

Postal Inspectors, U.S. Postal Inspection Service

22 Gary Smith,

23 Paralegal, U.S. Attorney's Office

24 Stephanie O'Connor,

Consultant for defense

CBDPCOLF

Deliberations

1 (In open court; jury not present)

2 THE COURT: Counsel, I wanted to put on the record the  
3 notes that we've received during the day. Court Exhibit F was  
4 a chart, and written on the outside of the envelope it said  
5 "Please make 12 copies of enclosed." It was essentially the  
6 elements of the offense as charged.

7 Court Exhibit G was a request for Exhibit 359,  
8 annotated "IPO with J. Collins' markings. Also e-mails in  
9 Counts Six, Seven, Eight, Nine. Count Six, April 18, 2004;  
10 Counts Seven and Eight, May 6, 2004; Count Nine, June 7, 2004."  
11 And I understand that you folks have collected those and sent  
12 them in.

13 Court Exhibit H was a request for Santo Maggio  
14 testimony, exhibits listed on the following page, and they  
15 listed Defense Exhibit 208 -- I'll spare you reading out loud  
16 the descriptions -- Defense Exhibit 312, Defense Exhibit 328,  
17 Government Exhibits 781 and 782, Government Exhibit 304,  
18 Defense Exhibit 1139, Defense Exhibit 713, Government  
19 Exhibit 1960.

20 Court Exhibit I, "To the Court: In our last request  
21 we included a page that listed the exhibits. If possible, we  
22 would like to get that page back. Thank you."

23 Counsel, is there any objection to my sending that  
24 page back in to them?

25 MR. SCHWARTZ: I think, your Honor, we agreed to Xerox

CBDPCOLF

Deliberations

1 it, and I don't know if the Xerox has already gone in or not.

2 THE COURT: It's already gone in.

3 MR. SCHWARTZ: I think the only thing that has not  
4 gone in is the Maggio testimony.

5 THE COURT: Right, which I understand you're checking  
6 for redactions.

7 MR. SCHWARTZ: I think, at the moment, the government  
8 has it. Yes.

9 MR. CHERNOFF: We won't finish it before they  
10 indicated they'll be leaving, but we'll have it for the  
11 morning.

12 THE COURT: Okay. And we know what time they're  
13 leaving?

14 MR. SCHWARTZ: 4:00.

15 THE COURT: Exactly, which is not 15 minutes from now.  
16 Anything else, friends?

17 MR. CHERNOFF: Not from the government, your Honor.

18 MR. SCHWARTZ: Not from us.

19 THE COURT: Thank you.

20 MR. SCHWARTZ: See you tomorrow, Judge.

21 THE COURT: See you tomorrow.

22 (Adjourned to November 14, 2012, at 10:00 a.m.)  
23  
24  
25